

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

WILLIAM FRANKS and	:	CIVIL ACTION
ALL THE WHEY, INC.	:	
	:	NO. 09-3649
Plaintiffs,	:	
	:	
v.	:	
	:	
FOOD INGREDIENTS	:	
INTERNATIONAL, INC., et al.	:	
	:	
Defendants.	:	

**ORDER**

AND NOW, this 30<sup>th</sup> day of July, 2010, upon consideration of Defendants Tulskie and Food Ingredients International, Inc.'s ("Defendants") joint Motion to Dismiss Plaintiff's Amended Complaint (Dkt. No. 18), Plaintiff's Opposition thereto (Dkt. No. 20), Defendants' Reply (Dkt. No. 23) and Plaintiffs Sur-Reply (Dkt. No. 26), and for the reasons set forth in the accompanying memorandum, it is hereby ORDERED that Defendants' Motion is GRANTED and Plaintiff's Amended Complaint is DISMISSED.

BY THE COURT:

/s/ C. Darnell Jones, II  
C. DARNELL JONES, II J.